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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
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12 KIM HA VU, et al.,)

13 Plaintiffs,)

14 v.)

15 WASHINGTON MUTUAL BANK FA, et)
16 al.,)

17 Defendants.)
_____)

Case No.: C 10-04000 PSG

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE DISMISSED
FOR FAILURE TO PROSECUTE**

18 Plaintiff filed the complaint in this action on September 7, 2010. The parties were
19 required to file a case management statement on November 16, 2010 and to appear for a case
20 management conference on November 23, 2010.¹ Also, by November 16, 2010, the parties were
21 required either to file written consent to the jurisdiction of the magistrate judge or to request
22 reassignment to a district judge.² None of the parties filed a case management statement or
23 consented or declined magistrate judge jurisdiction, and on November 22, 2010 the Clerk
24 rescheduled the case management conference for January 4, 2011.³ On January 4, 2011, none of
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26 ¹ See 9/10/10 Order Setting Initial Case Management Conference and ADR Deadlines (Docket
27 No. 3).

28 ² See Civ. L.R. 73-1(a)(1).

³ See 11/22/10 Clerks Notice (Docket No. 6).

1 the parties appeared at the case management conference.

2 If the plaintiff fails to prosecute or to comply with these rules or a court order, the court
3 may dismiss the action. *See* Fed. R. Civ. P. 41(b). Accordingly,

4 IT IS HEREBY ORDERED that Plaintiff show cause why the case should not be dismissed
5 for failure to prosecute. Plaintiff shall respond in writing no later than March 2, 2011. If
6 Plaintiff fails to show cause, this case will be reassigned to a district judge with a recommendation
7 for dismissal.

8 Dated: February 16, 2011

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11 PAUL S. GREWAL
12 United States Magistrate Judge
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1 Notice of this filing was automatically mailed to counsel via the court's Electronic Case Filing
2 system.

3 A copy of this filing was mailed to:

4 Kim Ha Vu
5 18900 Newsom Avenue
6 Cupertino, CA 95014

7 Huy Vu
8 18900 Newsom Avenue
9 Cupertino, CA 95014

10 Dated: February 16, 2011

11 /s/ Chambers Staff
12 Chambers of U.S. Magistrate Judge Paul S. Grewal
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